

BARBARA J. PARKER, City Attorney, CABN 069722
RYAN RICHARDSON, Special Counsel, CABN 223548
BRIGID S. MARTIN, Special Counsel, CABN 231705
One Frank H. Ogawa Plaza, 6th Floor
Oakland, California 94612
Telephone: (510) 238-3601
Facsimile: (510) 238-6500
Email: BMartin@oaklandcityattorney.org

Attorneys for CITY OF OAKLAND

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

DELPHINE ALLEN, et al.)	Case No. 00-cv-04599 WHO
)	
Plaintiffs,)	STATUS REPORT ON
)	OAKLAND POLICE
v.)	DEPARTMENT POLICY
)	DEVELOPMENT
CITY OF OAKLAND, et al.,)	AND IMPLEMENTATION
)	
Defendant(s).)	
)	
)	
)	

At the February 22, 2021 case management conference in the captioned case, the Court directed that “Chief Armstrong file [] a report by April 8, 2021, concerning the implementation of the six policies recommended by the Monitor arising out of the Pawlik shooting.” Dkt. 1426, Civil Minutes (Feb. 23, 2021).

The chart below summarizes the current status of the six Oakland Police Department policies at issue. The status of each policy is discussed further following the summary chart.

///

POLICY DEVELOPMENT AND IMPLEMENTATION SUMMARY CHART

POLICY TITLE	STATUS
Training Bulletin (TB) III-P.01 – Armed Unresponsive Persons	Published. Training completed. Effective March 1, 2021.
TB III-P.03 – Dedicated Arrest Teams	Published. Training completed. Effective March 1, 2021.
TB III-P.04 – Armored Vehicles	Published. Training completed. Effective March 15, 2021.
Internal Affairs Policy & Procedure Manual	Department submitted manual to Police Commission on February 9, 2021. Commission ad hoc committee reviewing manual.
CID Level 1 Investigations Policy & Procedure	Department revising draft following feedback from Chief and Executive Command team.
Chief's Directive Memorandum Re Administrative Leave and Modified Duty for Level 1 Investigations	Department revising draft following feedback from Monitor and Plaintiffs' counsel.

Training Bulletins

The three training bulletin policies are complete. The Department has published and conducted training on Training Bulletin (TB) III-P.01, *Armed Unresponsive Persons*, TB III-P.03, *Dedicated Arrest Teams*, and TB III-P.04, *Armored Vehicles*. All three policies are in effect for all Department members.

Internal Affairs Division (IAD) Manual

The Department submitted the IAD Policy and Procedure Manual (IAD Manual) to the Police Commission on February 9, 2021. *See OPD Critical Policy Tracking Chart*, Oakland Police Commission Feb. 11, 2021 Agenda Packet, Attachment 10, <https://cao-94612.s3.amazonaws.com/documents/Police-Commission-2.11.21-Agenda-Packet.pdf>, 6-8 (last visited Apr. 6, 2021). The Police Commission subsequently created an ad hoc committee staffed with three Commissioners to review the IAD Manual. *See Current Committees*, Oakland Police Commission Feb. 25, 2021 Agenda Packet, Attachment 10, <https://cao-94612.s3.amazonaws.com/documents/Police-Commission-2.25.21-Agenda->

1 Packet.pdf, 100 (last visited Apr. 6, 2021). The ad hoc committee is reviewing the
2 Manual.

3 **Criminal Investigation Division (CID)**
4 **Level 1 Investigations Policy and Procedure**

5 Since the last Court hearing, the Department presented a draft of the CID
6 Level 1 Policy and Procedure to the Chief and the Executive Command team. The
7 Department is revising the draft to reflect the feedback received from the team. The
8 Department anticipates presentation of a revised draft to the Chief and the
9 Executive Command team within the next week. After the Chief and Executive
10 Command team approve a draft of this policy, the Department will send the draft to
11 the Monitor and plaintiffs' counsel Jim Chanin for review and feedback. The
12 Department may make additional revisions following its receipt of feedback.
13 Following any additional revisions, the Department will then submit the policy
14 draft to the Police Commission for review.

15 **Administrative Leave and Modified Duty for Level 1 Investigations**

16 The Department is close to finalizing a memorandum containing the Chief's
17 Directive regarding administrative leave and modified duty for Level 1
18 investigations, including all major force incidents. Since the last Court hearing, the
19 Department sent its draft memorandum to the Monitor and plaintiffs' counsel Jim
20 Chanin. Both the Monitor and Mr. Chanin provided feedback. The Department is
21 revising the memorandum following that feedback.

22 ///

